

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

THE GLORIA LAW GROUP, P.C.
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Hackensack, New Jersey 07601
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Attorneys for Defendant
Laura S. Munzer, Esq. (LM 1647)

In Re:

NICHOLAS JOHN ALTIERI,

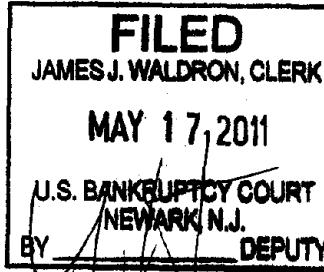
Debtors.

MARK AND SHONA HOLDEN,
Plaintiffs,

- against -

NICK ALTIERI,

Defendant.



Case No.: 11-12819-DHS

Chapter 7

Adv. Pro. No. 11-1196

**ORDER GRANTING DEFENDANT'S MOTION TO DISMISS
PLAINTIFFS' COMPLAINT WITH PREJUDICE, PURSUANT TO
~~FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6) FOR FAILURE TO
STATE A CLAIM~~**

The relief specified in the paragraph numbered "1" on the page annexed as Page "2" be and
is hereby granted.

5/17/11

D. H. Munzer

CASE:

NICHOLAS JOHN ALTIERI, Debtor

CASE NO.

11-12819-DHS

ADVERSARY:

Holden, et al. v. Altieri, 11-1196 (DHS)

CAPTION:

**ORDER GRANTING DEFENDANT'S MOTION TO DISMISS
PLAINTIFFS' COMPLAINT WITH PREJUDICE, PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6) FOR FAILURE
TO STATE A CLAIM**

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Application having been made pursuant to Federal Rule of Civil Procedure 12(b)(6) and 9(b), made applicable to this proceeding by way of Federal Rules of Bankruptcy 7012 and 7009, for entry of an Order dismissing with prejudice the Complaint of the Plaintiffs Mark and Shona Holden, for entry an order dismissing the Plaintiffs' Complaint with Prejudice; and the Court having considered the matter; the arguments and submissions of counsel; and for good cause shown:

1. IT IS HEREBY ORDERED that the defendant's application is granted and the Plaintiffs' Complaint be and is hereby dismissed *without* prejudice.

2. Further Ordered that plaintiff has leave to file an amended complaint within 20 days of this Order.